

In the United States Court of Federal Claims

No. 18-334C

(E-Filed: February 18, 2022)

)
HEALTH ALLIANCE MEDICAL)
PLANS, INC.,)
)
Plaintiff,)
)
v.)
)
THE UNITED STATES,)
)
Defendant.)

ORDER

On February 17, 2022, the parties filed a joint stipulation for the entry of partial final judgment on plaintiff's two count amended complaint, ECF No. 20, seeking damages for unpaid cost-sharing reduction (CSR) payments through December 31, 2018 under the Affordable Care Act, 42 U.S. C. § 18071, in this case. See ECF No. 34. Therein, the parties stipulate and request that the court enter partial judgment on Counts I and II of their amended complaint as to their claims through December 31, 2017. See id. at 2. The court commends the parties on their continued efforts to resolve this case without further litigation and shall grant the requested relief. Thus, Counts I and II of plaintiff's amended complaint for damages due to unpaid CSR payments for benefit year 2018 remain viable.

For the purposes of proper case administration and docket clarity, the court turns to plaintiff's fully briefed, motion for summary judgment, ECF No. 10, and defendant's cross-motion and response, ECF No. 13, in this case. With the filing of plaintiff's amended complaint, and the parties' joint stipulation for the entry of partial judgment now before the court, these motions for summary judgment citing to plaintiff's original complaint, ECF No. 1, shall be denied as moot. Additionally, pursuant to the court's

September 22, 2021 scheduling order this case shall remain stayed, and the parties shall file their next joint status report, on or before March 7, 2022. See ECF No. 30.

Accordingly:

- (1) Plaintiff's motion for summary judgment, ECF No. 10, and defendant's cross-motion for summary judgment, ECF No. 13, are **DENIED** as moot;
- (2) Pursuant to Rule 54(b) of the Rules of the United States Court of Federal Claims, insofar as there is no just reason for delay, and pursuant to the parties' joint stipulation, ECF No. 34, the clerk's office is directed to **ENTER** partial judgment in plaintiff's favor partially **DISMISSING** Counts I and II, as follows:

The Parties jointly request that the Court enter partial judgment in favor of plaintiff in the amount of \$1,498,262.27 on Count I of the amended complaint as it relates to CSR payments through December 31, 2017, with each party to bear its own costs, attorney fees, and expenses.

The Parties further request that the Court partially dismiss Count II of the amended complaint as it relates to plaintiff's claim for CSR payments through December 31, 2017, with prejudice.

ECF No. 34 at 2.

- (3) The clerk's office is directed to continue the **STAY** of this matter until further order of the court; and
- (4) Pursuant to the court's September 22, 2021 scheduling order, on or before **March 7, 2022**, and **every thirty days** thereafter, the parties are directed to **FILE a joint status report**, informing the court of the status of the parties' discussions to resolve this case without further litigation and the parties' position on the continuation of the current stay.

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith
PATRICIA E. CAMPBELL-SMITH
Judge